

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED
JAN 03 2019
Clerk, U.S. District Court
District Of Montana
Missoula

ANTHONY SCOTT,

Plaintiff,

vs.

STEVE HALLAM, SETH FOSTER,
DAVID FIREBAUGH, and
KENNETH TUSS,

Defendants.

CV 18-89-BLG-DLC-JCL

ORDER

On September 28, 2018, United States Magistrate Judge Jeremiah C. Lynch entered his Order and Findings and Recommendations finding that Defendants Hallam, Foster, Firebaugh, and Tuss should be granted summary judgment on Plaintiff's excessive force claim. (Doc. 52 at 5.) On October 2, 2018, Judge Lynch entered Amended Recommendations providing clarified recommendations to grant Defendants' Cross Motion for Summary Judgment (Doc. 25) and deny Plaintiff's Motion for Summary Judgment (Doc. 45) to the extent that it "seeks relief based upon his claim of excessive force against Defendants Hallam, Foster, Firebaugh, and Tuss." (Doc. 57 at 1-2.) On December 21, 2018, absent objection and finding no clear error, this Court adopted United States Magistrate Judge Jeremiah C. Lynch's Findings and Recommendations (Doc. 52) in full. (Doc. 99 at

2.) In doing so, the Court granted Defendants' Cross Motion for Summary Judgment (Doc. 25) and denied Plaintiff's Motion for Summary Judgment (Doc. 45) to the "extent it seeks relief based upon his claim of excessive force against Defendants Hallam, Foster, Firebaugh, and Tuss." (Doc. 99 at 2-3.) However, the Court made no mention of Judge Lynch's Amended Recommendation (Doc. 57) at that time. To clarify the record,

IT IS ORDERED that Judge Lynch's Amended Recommendation (Doc. 57) is ADOPTED IN FULL.

DATED this 3rd day of January, 2019.

A handwritten signature in black ink, reading "Dana L. Christensen". The signature is written in a cursive style with a large, looped initial "D".

Dana L. Christensen, Chief Judge
United States District Court